

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JUAN PABLO CHAVEZ,

Plaintiff,

v.

JOHN/JANE DOE 1-9; SGT. FINNEY,
#3281, 3271; BRC "THE BOULEVARD";
THE MOUNT SINAI HOSPITAL; ADT
RECOMMENDER; THE 730 PSYCHS;
AMERICAN RED CROSS; DHS OFFICE OF
THE OMBUDSMAN,

Defendants.

**USDC-SDNY
DOCUMENT
ELECTRONICALLY FILED
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DATE FILED: 10/27/2021**

19-CV-4109 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

On July 23, 2021, Defendants filed a motion for summary judgment in this case, which was accompanied by the declaration of Matthew Malysa, Defendants' counsel. Dkts. 49, 50. Mr. Chavez, proceeding *pro se*, has not filed an opposition to this motion. However, on August 19, 2021, Mr. Chavez filed a letter in which he stated: "I received a small box with Mr. Malysa's response and honestly haven't had an opportunity to open it and honestly don't care to. If you could please let me know what you would like me to do. I don't wish to focus on this anymore. I don't even have a copy of the case." Dkt. 55.

Yesterday, Mr. Chavez called my chambers and spoke with one of my law clerks. Mr. Chavez stated that he was currently hospitalized and inquired about the procedural posture of the case. My chambers informed Mr. Chavez that a motion for summary judgment had been filed and further informed him that my chambers had received his letter of August 19. Mr. Chavez also provided two additional mailing addresses at which he could be reached.

In light of Mr. Chavez's August 19 letter and yesterday's communication, the Court orders as follows: No later than December 28, 2021, Mr. Chavez shall either file a response to Defendants' motion for summary judgment or inform the Court that he does not intend to do so. If he advises the Court that he does not intend to submit opposition papers but seeks to proceed with the action, the Court shall treat the motion for summary judgment as unopposed. If he does neither, the Court will assume that Mr. Chavez longer seeks to proceed with this action, and the case may be dismissed.

The Court informs Mr. Chavez that he may be able to use the resources of a free legal clinic called the New York Legal Assistance Group. He may make a telephone appointment with the clinic by calling (212) 659-6190 or visiting its website at <https://nylag.org/pro-se-clinic>.

The Clerk of Court is respectfully directed to mail copies of (1) the docket in this case; (2) Defendants' motion for summary judgment and the declaration of Matthew Malysa, Dkts. 49, 50; and (3) this Order to Plaintiff at the following three addresses:

151 1st Avenue #270, New York, NY 10003
1 Brookdale Plaza, Brooklyn, NY 11212
2402 Atlantic Avenue, Brooklyn, NY 11233

SO ORDERED.

Dated: October 27, 2021
New York, New York



RONNIE ABRAMS
United States District Judge